

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ALMA ROPER, ET AL.,

25-cv-1396 (JGK)

Plaintiffs,

ORDER

- against -

AMERICAN FEDERATION OF STATE, COUNTY
AND MUNICIPAL EMPLOYEES,

Defendant.

JOHN G. KOELTL, District Judge:

On February 18, 2025, the plaintiffs filed this action. ECF No. 1. The plaintiffs, however, did not properly request the issuance of summons until April 30, 2025. ECF No. 4. The summons issued on May 1, 2025. ECF No. 5.

Pursuant to Rule 4(m) of the Federal Rules of Civil Procedure, the plaintiff must serve the defendant "within 90 days after the complaint is filed." Fed. R. Civ. P. 4(m). Therefore, in this case, the time to serve the defendant expired on May 19, 2025. See id.

On May 22, 2025, the Court extended the time to serve the defendant to June 6, 2025. ECF No. 6. The Court also warned that if the defendant is not served by that date, this action may be dismissed without prejudice for failure to prosecute.

To date, the plaintiffs have not filed proof of service of the complaint and summons on the defendant. Nor have the

plaintiffs submitted any update to the Court. Accordingly, this case is **dismissed without prejudice** for failure to prosecute.

The Clerk is directed to close all pending motions, cancel any pending conferences, and to close this case.

SO ORDERED.

Dated: New York, New York
June 10, 2025


John G. Koeltl
United States District Judge